



2011 SENATE BILL 228

1 **AN ACT** *to renumber and amend* 23.33 (3) (e), 167.31 (2) (a) and 167.31 (2) (b);
2 *to amend* 23.33 (11p) (e) 2., 167.31 (2) (c) and 167.31 (3) (a) 2.; and *to create*
3 23.33 (3) (eg), 23.33 (3) (er), 23.33 (3c) (title), 23.33 (3c) (b), 167.31 (1) (cm),
4 167.31 (1) (fg), 167.31 (1) (g) 4., 167.31 (2) (a) 3., 167.31 (2) (b) 3., 167.31 (4) (ag)
5 and 167.31 (4) (i) of the statutes; **relating to:** loading, discharging, placing,
6 possessing, or transporting a firearm, bow, or crossbow in or on a vehicle or in
7 or on a motorboat.

Analysis by the Legislative Reference Bureau

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

8 **SECTION 1.** 23.33 (3) (e) of the statutes, as affected by 2011 Wisconsin Act 35,
9 is renumbered 23.33 (3c) (a) and amended to read:
10 23.33 **(3c)** (a) With No person may operate an all-terrain vehicle with any
11 firearm in his or her possession unless it the firearm is unloaded and enclosed in a

SENATE BILL 228**SECTION 1**

1 ~~carrying case or unless the firearm is a handgun, as defined in s. 175.60 (1) (bm), or~~
2 ~~any bow unless it is unstrung or enclosed in a carrying case.~~

3 **SECTION 2.** 23.33 (3) (eg) of the statutes is created to read:

4 23.33 **(3)** (eg) With any crossbow in his or her possession unless the crossbow
5 is not cocked or is unloaded and enclosed in a carrying case.

6 **SECTION 3.** 23.33 (3) (er) of the statutes is created to read:

7 23.33 **(3)** (er) With any bow in his or her possession unless the bow does not
8 have an arrow nocked.

9 **SECTION 4.** 23.33 (3c) (title) of the statutes is created to read:

10 23.33 **(3c)** (title) OPERATION WITH FIREARMS.

11 **SECTION 5.** 23.33 (3c) (b) of the statutes is created to read:

12 23.33 **(3c)** (b) Paragraph (a) does not apply to a firearm that is placed or
13 possessed on an all-terrain vehicle that is stationary, as defined in s. 167.31 (1) (fg).

14 **SECTION 6.** 23.33 (11p) (e) 2. of the statutes is amended to read:

15 23.33 **(11p)** (e) 2. Subsections (3), (3c), (3g), (4), (4c) to (4x), (6), (7), (10), (12),
16 and (13).

17 **SECTION 7.** 167.31 (1) (cm) of the statutes is created to read:

18 167.31 **(1)** (cm) “Handgun” has the meaning given in s. 175.60 (1) (bm).

19 **SECTION 8.** 167.31 (1) (fg) of the statutes is created to read:

20 167.31 **(1)** (fg) “Stationary” means not moving, regardless of whether the motor
21 is running.

22 **SECTION 8m.** 167.31 (1) (g) 4. of the statutes is created to read:

23 167.31 **(1)** (g) 4. In the case of an electronic ignition muzzle-loading firearm,
24 having the battery removed and disconnected from the firearm.

SENATE BILL 228

1 **SECTION 9.** 167.31 (2) (a) of the statutes, as affected by 2011 Wisconsin Act 35,
2 is renumbered 167.31 (2) (a) (intro.) and amended to read:

3 167.31 **(2)** (a) (intro.) Except as provided in sub. (4), no person may place,
4 possess, or transport a firearm, bow, or crossbow in or on a motorboat with the motor
5 running, unless the one of the following applies:

6 1. The firearm is unloaded or is a handgun, as defined in s. 175.60 (1) (bm),
7 unless the firearm is unloaded, or unless the,

8 2. The bow or crossbow is unstrung or is enclosed in a carrying case does not
9 have an arrow nocked.

10 **SECTION 10.** 167.31 (2) (a) 3. of the statutes is created to read:

11 167.31 **(2)** (a) 3. The crossbow is not cocked or is unloaded and enclosed in a
12 carrying case.

13 **SECTION 11.** 167.31 (2) (b) of the statutes, as affected by 2011 Wisconsin Act 35,
14 is renumbered 167.31 (2) (b) (intro.) and amended to read:

15 167.31 **(2)** (b) (intro.) Except as provided in sub. (4), no person may place,
16 possess, or transport a firearm, bow, or crossbow in or on a vehicle, unless the one of
17 the following applies:

18 1. The firearm is unloaded or is a handgun, as defined in s. 175.60 (1) (bm),
19 unless the firearm is unloaded and encased, or unless the,

20 2. The bow or crossbow is unstrung or is enclosed in a carrying case does not
21 have an arrow nocked.

22 **SECTION 12.** 167.31 (2) (b) 3. of the statutes is created to read:

23 167.31 **(2)** (b) 3. The crossbow is not cocked or is unloaded and enclosed in a
24 carrying case.

